

EXHIBIT 1

ALSTON & BIRD LLP

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January 16, 2013

Freedom of Information Act/Privacy Act Request

Via: Email: uscis.foia@uscis.dhs.gov

National Records Center (NRC)
FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010
Fax: (816) 350-5785
Email: uscis.foia@uscis.dhs.gov

Re: E-Verify

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, please accept this letter and the attached form G-639 as our Freedom of Information Act Request to the U.S. Citizenship and Immigration Service. We hereby request that the U.S. Citizenship and Immigration Services (USCIS) produce copies of all documents in its possession which relate in any way to the U.S. Department of Homeland Security (DHS) United States Citizenship and Immigration Service (USCIS)'s E-Verify program guidance, indicators, or other guidelines used by the DHS/USCIS/E-Verify (herein after referred to as "E-Verify") to assess, assume or presume that the employer's hiring practices are not compliant, including, without limitation, the following

1. Identify the standards, guidance, indicators, or other guidelines used by E-Verify to assess, assume or presume that the employer's hiring practices are not compliant because the percentage of "presented documents" for the employee-status is outside E-Verify established "standards, guidance, protocols or guidelines". For instance, in the hiring process, if 70% or more of the non-citizens employees use a list A document for Form I-9 and/or E-verify completion, does this 70% fall outside of the E-Verify "standards, guidance, protocols or guidelines"?
2. What are the standards, guidance, indicators or other guidelines used by E-Verify to assess or assume that the employer's hiring practices are not compliant because the percentage of presented documents for the employee-status is outside E-Verify established "standards, guidance, protocols or guidelines" for employees that identify their status a (1) US citizens, (2) US Nationals, (3) Permanent Resident Aliens, or (4) Aliens Authorized to work?
3. What are the document-presented to employee-status percentage standards, guidance, indicators or other guidelines used by E-Verify to assess or assume or presume that the employer's hiring practices are "discriminating" in the hiring process.
4. How and when are the results of E-Verify's standards, guidance, indicators or other guidelines shared with other federal agencies?

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5. Identify all data, data sources, methodologies, algorithms, formulas used by E-Verify to establish these standards, guidance, indicators or other guidelines, include the date, author, and publication of such.
6. Identify the standards, guidance, indicators or other guidelines used by E-Verify to assess or assume that the employer's hiring practices are compliant or not.
7. What are the standards, guidance, indicators or other guidelines used by E-Verify to assess or assume that the employer's hiring practices are "discriminating" in the hiring process?

Please send the requested information at your earliest convenience to the undersigned at the One Atlantic Center address noted above. We agree to pay the costs incurred in responding to this request.

Thank you for your cooperation and assistance. I look forward to receiving the requested information.

Sincerely,



Eileen M. G. Scofield

EMGS/llw
LEGAL02/33869711v1
enclosures

Thank you!

OMB No. 1615-0102; Expires 01/31/2015

Department of Homeland Security
U.S. Citizenship and Immigration Services

**Form G-639, Freedom of
Information/Privacy Act Request**

NOTE: Use of this form is optional. Any written format for a Freedom of Information or Privacy Act request is acceptable.

START HERE - Type or print in black ink. Read instructions before completing this form.

1. Type of Request (Check appropriate box. **NOTE:** If you are filing this request for records on behalf of another individual, please respond to Number 1 as it would apply to that individual.)

- ☐ Freedom of Information Act (FOIA): I am not a U.S. citizen/Lawful Permanent Resident and I am requesting my own records.
- ☐ Freedom of Information Act (FOIA): I am a U.S. citizen/Lawful Permanent Resident and I am requesting documents other than my own records.
- ☐ Privacy Act (PA): I am a U.S. citizen/Lawful Permanent Resident and I am requesting my own records.
- ☐ Amendment of Record (PA only): I am a U.S. citizen/Lawful Permanent Resident and I am requesting amendment of my own records.
- ☒ Other: See attached letter

2. Description of Record(s) Requested:

NOTE: While you are not required to respond to all items in Number 2, failure to provide complete and specific information as requested may result in a delay in processing or an inability to locate the record(s) or information requested.

- ☐ Complete Alien File (A-File)
- ☒ Other (please specify): See attached letter

Purpose: (Optional: You are not required to state the purpose of your request. However, doing so may assist USCIS in locating the record(s) needed to respond to your request.)

Family Name (Last Name)	Given Name (First Name)		Middle Name
Other Names Used (if any)	Name at time of entry into the U.S.		I-94 Admission #
Alien Registration Number (A#)	Petition or Claim Receipt #	Country of Birth	Date of Birth (mm/dd/yyyy)

Names of other family members that may appear on requested record(s) (i.e., spouse, daughter, son):

Family Member's Name: Given Name (First Name)	Middle Name	Family Name (Last Name)	Relationship
Father's Name: Given Name (First Name)	Middle Name	Family Name (Last Name)	
Mother's Name: Given Name (First Name)	Middle Name	Family Name (Last Name, including Maiden Name)	
Country of Origin (Place of Departure)	Port of Entry into the U.S.		Date of Entry (mm/dd/yyyy)
Manner of Entry (Air, Sea, Land)		Mode of Travel (Name of Carrier)	

3. Subject of Record Consent to Release Information *(Must be signed by the subject of record(s) requested.)*

By my signature, I consent to allow USCIS to release to the requester named in Number 5 (Check applicable box):

- ☐ All of my records ☐ A portion of my records *(If a portion, specify below what part, i.e., copy of application.)*

Print Name of Subject of Record _____

Signature of Subject of Record _____

Date (mm/dd/yyyy) _____

- ☐ Deceased Subject - Proof of death must be attached *(Obituary, Death Certificate, or other proof of death required)*

4. Verification of Identity *(Required; Fill out all that apply.)*

Name of Subject of Record <i>(First, Middle, Last)</i>		Daytime Telephone	E-mail Address
Address <i>(Street Number and Name)</i>		Apt. Number	
City	State	Zip Code	
Date of Birth <i>(mm/dd/yyyy)</i>	Place of Birth		

The Subject of Record must provide a signature under either a Notarized Affidavit of Identity or a Sworn Declaration Under Penalty of Perjury:

- ☐ Notarized Affidavit of Identity

Signature of Subject of Record _____

Date (mm/dd/yyyy) _____

Subscribed and sworn to before me this _____ day of _____ Telephone No. _____

Signature of Notary _____ My Commission Expires on _____

OR

- ☐ Sworn Declaration Under Penalty of Perjury

Executed outside the United States

If executed outside the United States: "I declare (certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct."

Signature of Subject of Record _____

Executed in the United States

If executed within the United States, its territories, possessions, or commonwealths: "I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct."

Signature of Subject of Record _____

5. Requester InformationBy my signature, I consent to pay all costs incurred for search, duplication and review of materials up to \$25 *(See instructions)*

Signature of Requester: _____

Name of Requester <i>(Fill out if different from the Subject of Record.)</i>		Daytime Telephone	E-mail Address
Eileen M.G. Scofield, Esquire		404-881-7375	Eileen.scofield@alston
Address <i>(Street Number and Name)</i>		Apt. Number	
Alston & Bird LLP, 1201 W. Peachtree Street			
City	State	Zip Code	
Atlanta	GA	30309-3424	